



NEW MEXICO
ENVIRONMENT DEPARTMENT

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GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: Ghost Ranch Conference Center
Discharge Permit Number: DP-869
Facility Location: 1708 Highway 84
Abiquiu

County: Rio Arriba

Permittee: Ghost Ranch Conference Center
Mailing Address: Paul Fogg, Executive Director
1708 Highway 84
Abiquiu, NM 87510

Facility Contact: Antonio Martinez
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Permitting Action: Renewal

Permit Issuance Date: DATE
Permit Expiration Date: DATE

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MICHELLE HUNTER
Chief, Ground Water Quality Bureau
New Mexico Environment Department

Date

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ATTACHMENTS

Discharge Permit Summary
Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner
Material and Site Preparation, Revision 0.0, May 2007
New Mexico Environment Department Ground Water Quality Bureau Monitoring Well
Construction and Abandonment Guidelines, Revision 1.1, March 2011 (Monitoring
Well Guidance)

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-869) to the Ghost Ranch Conference Center (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the Ghost Ranch Conference Center (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics.

Two 20,690-gallon septic tanks followed by two facultative impoundments with concrete aprons and clay lined bottoms receive and treat domestic wastewater at a volume of up to 31,675 gallons per day (gpd). Treated wastewater discharges to a free-surface constructed wetland.

Five individual septic tank systems receive and treat domestic wastewater at a volume of up to 2,325 gpd. The septic tanks discharge to five corresponding leachfields.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at 1708 Highway 84, approximately 13 miles northwest of Abiquiu, in Section 12, Township 24N, Range 04E, in Rio Arriba County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 32 feet and had a pre-discharge total dissolved solids (TDS) concentration of approximately 3,310 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on October 9, 1992 and subsequently renewed the Permit on March 4, 1999, September 19, 2005, and December 22, 2104. The application (i.e., discharge plan) associated with this Discharge Permit consists of the

materials submitted by the Permittee dated August 30, 2019 and materials contained in the administrative record prior to issuance of this Discharge Permit.

The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
BOD ₅	biochemical oxygen demand (5-day)	NMSA	New Mexico Statutes Annotated
CFR	Code of Federal Regulations	NO ₃ -N	nitrate-nitrogen
CFU	colony forming unit	NTU	nephelometric turbidity units
Cl	chloride	QA/QC	Quality Assurance/Quality Control
EPA	United States Environmental Protection Agency	TDS	total dissolved solids
gpd	gallons per day	TKN	total Kjeldahl nitrogen
LAA	land application area	total nitrogen	= TKN + NO ₃ -N
LADS	Land Application Data Sheet(s)	TRC	total residual chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	WQA	New Mexico Water Quality Act
MPN	most probable number	WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code	WWTF	Wastewater Treatment Facility
NMED	New Mexico Environment Department		

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.
2. The Permittee discharges effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and treat up to 31,675 gpd of domestic wastewater using two septic tanks followed by two concrete-lined facultative impoundments that discharge to a free-surface constructed wetland.

This Discharge Permit also authorizes the Permittee to receive and dispose of up to 2,325 gpd of domestic wastewater using five individual septic tank/leachfield systems.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	Within 30 days of the issuance date of this Discharge Permit (by DATE), the Permittee shall post signs indicating that the wastewater at the Wastewater Treatment Facility (WWTF) is not potable. The Permittee shall post signs at the Facility entrance and other areas where there is potential for public contact with wastewater. Posted signs shall be in English and Spanish and shall be legible during the term of this Discharge Permit. The Permittee shall submit documentation demonstrating sign installation that consists of date stamped photographs to NMED in the next required periodic monitoring report. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
4.	By August 1, 2021 , the Permittee shall submit a Preliminary Engineering Report (PER) signed, dated and stamped by a licensed New Mexico professional engineer, for NMED approval. The report shall evaluate options for wastewater treatment, storage, disposal, and/or reuse. The report may include options for repairs/improvements, or for replacement, of the current WWTF. The report shall make recommendations for a preferred alternative that will ensure compliance with this Discharge Permit, the WQCC Regulations, and the WQA. [NMSA 1978, § 74-6-5.D, Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, Subsection B of 20.6.2.3109 NMAC]
5.	By August 1, 2022 , the Permittee shall submit final construction plans and specifications for NMED's review for the proposed repairs/improvements, or for replacement of the WWTF. The construction plans and specifications shall bear the seal and signature of a licensed New Mexico professional engineer (pursuant to New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and shall include the supporting design calculations.

#	Terms and Conditions
	<p>The submitted documentation shall include the following elements.</p> <ol style="list-style-type: none">a) Details for the construction of the treatment impoundment system and a liner consistent with the attachment titled <i>Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner Material and Site Preparation</i>, Revision 0.0, May 2007.b) Wastewater system component(s) design, e.g., lift stations, valves, transfer lines, process units and associated details; whether new for the new system, retrofitted for the new system, or proposed for abandonment.c) If applicable, the infrastructure necessary to discharge wastewater to a irrigation system. The absorption area shall be sized to accommodate the maximum daily volume of wastewater discharged at the maximum allowable total nitrogen limit designated in this Discharge Permit while not exceeding the nitrogen loading limit of 200 pounds per acre in any 12-month period.d) Flow meter design detail - Flow meters to measure the volume of wastewater discharged to the treatment impoundment system.e) Specifications for all equipment, materials and installation procedures the Permittee will use in the construction of the wastewater system.f) Fences design detail around the Facility. <p>Prior to constructing the repairs/improvements, or for replacement of the WWTF and its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
6.	<p>By July 1, 2024, the Permittee shall complete construction of the repairs/improvements, or replacement of the WWTF and its associated components in accordance with the final construction plans and specifications required by this Discharge Permit. The Permittee shall notify NMED at least five working days prior to commencement of construction to allow NMED personnel to be onsite for inspection.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
7.	<p>Within 30 days of completing construction of the repairs/improvements, or replacement of the WWTF and its associated components, the Permittee shall submit record drawings to NMED that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed</p>

#	Terms and Conditions
	[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
8.	<p>A minimum of 60 days prior to commencing construction of the repairs/improvements, or replacement of the WWTF and its associated components, the Permittee shall propose a plan for the removal and disposal of the solids from the facultative impoundments. The Permittee shall submit the solids removal and disposal plan to NMED for approval. The plan shall include the following:</p> <ul style="list-style-type: none">a) A description of how the Permittee will contain, transport and dispose of the solids in accordance with all local, state, and federal regulations, including 40 CFR Part 503.b) A schedule for completion of the solids removal and disposal project. <p>The Permittee shall initiate implementation of the plan following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC, 40 CFR Part 503]</p>

Operating Conditions

#	Terms and Conditions
9.	<p>The Permittee shall ensure that treated wastewater discharged from the facultative impoundment system does not exceed the following discharge limit.</p> <p>Total Nitrogen: 20 mg/L</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
10.	<p>The Permittee shall maintain fences around the WWTF to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
11.	<p>The Permittee shall maintain the facultative impoundments to avoid conditions that could affect the structural integrity of the impoundments. Characterization of such conditions may include the following:</p> <ul style="list-style-type: none">• erosion damage;• animal burrows or other damage;

#	Terms and Conditions
	<ul style="list-style-type: none">• the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself;• the presence of large debris or large quantities of debris in the impoundment;• evidence of seepage; or• evidence of berm subsidence. <p>The Permittee shall control vegetation growing around the impoundments by mechanical removal that is protective of the impoundment.</p> <p>The Permittee shall visually inspect the impoundments and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall provide the log to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
12.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the liquid level in the facultative impoundments and the elevation of the lowest-most top of the impoundment concrete apron.</p> <p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in an impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
13.	<p>The Permittee shall visually inspect the free-surface constructed wetland disposal area (disposal system) semi-annually to ensure proper maintenance. The Permittee shall correct any conditions that indicate damage to the disposal system. The Permittee shall ensure conditions corrected include erosion damage, animal activity/damage, excessive vegetation, evidence of seepage, or any other condition indicating damage.</p>

#	Terms and Conditions
	<p>The Permittee shall keep a log of the inspections that includes a date of the inspection, any findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>In the event of a failure of the disposal system, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
14.	<p>The Permittee shall visually inspect the area above the leachfields semi-annually to ensure proper maintenance. The Permittee shall correct any conditions that indicate damage to the leachfields. The Permittee shall ensure conditions corrected include erosion damage, animal activity/damage, woody shrubs, evidence of seepage, or any other condition indicating damage.</p> <p>The Permittee shall keep a log of the inspections that includes a date of the inspection, any findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>In the event of a failure of a leachfield, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
15.	<p>The Permittee shall properly manage all solids generated by the treatment system to maintain effective operation of the system by removing solids as necessary and in accordance with associated equipment manufacturer's specifications. The Permittee shall contain, transport and dispose of all solids removed from the treatment process in accordance with all local, state, and federal regulations.</p> <p>The Permittee shall maintain manifests for all solids transported from the treatment Facility for off-site disposal. The manifests shall identify the name of the hauler, the date of off-site shipment, the volume of solids removed, the disposal method, and disposal location.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C –f 20.6.2.3109 NMAC]</p>
16.	<p>The Permittee shall inspect the five individual septic tanks and the two septic tanks preceding the impoundments semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 30% or more of the tank volume, the contents of the tanks shall be pumped by a septage pumper</p>

#	Terms and Conditions
	<p>meeting the qualification requirements identified in Subsection D of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations.</p> <p>The Permittee shall create and maintain a log of all septic tank inspections which describes the findings, repairs, and removals, the date of the inspection, and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>The Permittee shall maintain a record of solids removal and disposal, including the name of the septage hauler, date of off-site shipment, volume of solids removed, disposal method, and disposal location.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subject—on C of 20.6.2.3109 NMAC]</p>
17.	<p>The Permittee shall inspect the grease interceptor on a monthly basis and remove accumulated grease and settled solids as needed to prevent them from exiting the unit.</p> <p>The Permittee shall create and maintain a log of all grease interceptor inspections which describes all findings, repairs, removals, the date of the inspection, and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>The Permittee shall maintain a record of grease/solids removal and disposal, including date, volume of grease/solids removed, disposal method and disposal location.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
18.	<p>The Permittee shall inspect and clean the lift station(s) as needed to prevent pump failure.</p> <p>The Permittee shall maintain a record of lift station inspections, repairs and cleanings. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
19.	<p>The Permittee shall utilize operators, certified by the State of New Mexico at the appropriate level pursuant to 20.7.4 NMAC, to operate the wastewater collection, treatment and disposal systems. A certified operator or a direct supervisee of a certified operator shall perform the operations and maintenance of all or any part of the wastewater system.</p>

#	Terms and Conditions
	The Permittee shall notify the NMED within 24 hours if at any time the Permittee no longer has a certified operator maintaining the system. [Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]

B. MONITORING AND REPORTING

#	Terms and Conditions
20.	The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
21.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC. [Subsection B of 20.6.2.3107 NMAC]
22.	Quarterly monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit quarterly reports to NMED by the following due dates: <ul style="list-style-type: none">• January 1st through March 31st – due by May 1st;• April 1st through June 30th – due by August 1st;• July 1st through September 30th – due by November 1st; and• October 1st through December 31st – due by February 1st. [Subsection A of 20.6.2.3107 NMAC]

Groundwater Monitoring Conditions

#	Terms and Conditions
23.	The Permittee shall perform quarterly groundwater sampling in the following groundwater monitoring wells and analyze the samples for TKN, NO ₃ -N, TDS and Cl. <ul style="list-style-type: none">a) MW-1, located hydrologically downgradient of the facultative impoundments and southwest of the second impoundment.b) MW-2, located hydrologically downgradient of the free-surface constructed wetlands and southwest of the wetland cells.

#	Terms and Conditions
	<p>The Permittee shall perform groundwater sample collection, preservation, transport and analysis according to the following procedures.</p> <ul style="list-style-type: none"> a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results including the laboratory QA/QC summary report for each well, and a Facility layout map showing the location and number of each well to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
24.	<p>NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the Permittee by certified mail. The Permittee shall remove any existing dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal.</p> <p>Should the Permittee decide to install a pump monitoring well without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>

Facility Monitoring Conditions

#	Terms and Conditions
25.	<p>The Permittee shall on a monthly basis estimate the volume of wastewater received by the WWTF by recording meter readings for the Facility's water supply on a monthly basis and calculating the monthly and average daily usage volumes.</p> <p>To determine the discharge volume, the Permittee shall use the estimated monthly influent volume* (based upon meter readings) to calculate the average daily volume by the formula below.</p> <p style="text-align: center;">estimated monthly volume ÷ number of days in the month = average daily volume</p>

#	Terms and Conditions
	<p>Each month, the Permittee shall make note of any significant uses of the water (e.g., irrigation, evaporative cooling or leaks) that do not contribute to the volume of wastewater received.</p> <p>The Permittee shall submit the monthly meter readings, estimated monthly and average daily influent volumes, and notes and estimated volume of significant uses to NMED in the quarterly monitoring reports.</p> <p>*Should more than one flow meter exist for the Facility's water supply, the Permittee shall calculate the estimated monthly volume for the Facility by adding the estimated monthly volume for each meter. This summation should be completed prior to calculating the average daily volume for the Facility.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
26.	<p>The Permittee shall collect samples of domestic wastewater from the final impoundment prior to discharging to the wetland on a quarterly basis and analyze the samples for:</p> <ul style="list-style-type: none">• TKN;• NO₃-N;• TDS; and• Cl. <p>In the event that no effluent discharge occurs during the entire quarterly period, the Permittee shall collect a composite wastewater sample from the final impoundment and analyze the sample for TKN, NO₃-N, TDS, and Cl. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the impoundment and thoroughly mixed.</p> <p>The Permittee shall ensure the sample is properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
27.	<p>The Permittee shall submit all records of solids and grease removal and disposal to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
28.	<p>In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results.</p> <p>Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.</p> <p>Once this groundwater exceedance response condition is invoked whether during the term of this Discharge Permit or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements, this condition shall apply until the Permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC.</p> <p>Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
29.	<p>In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attached <i>Monitoring Well Guidance</i>; contains insufficient water to effectively monitor groundwater quality; or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED.</p> <p>The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attached <i>Monitoring Well Guidance</i>. The Permittee shall submit well construction and lithologic logs to NMED within 60 days following well completion.</p> <p>The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the</p>

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	<p>well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attached <i>Monitoring Well Guidance</i> and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
30.	<p>In the event that analytical results of a treated wastewater sample indicate an exceedance of the total nitrogen discharge limit set in this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 48 hours of the receipt of the initial sampling results. In the event the second sample results indicate an exceedance of the discharge limit, the Permittee shall implement the following contingencies.</p> <ul style="list-style-type: none">a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall:<ul style="list-style-type: none">i) notify NMED that the Permittee is implementing the Contingency Plan; andii) submit a copy of the first and second analytical results indicating an exceedance to NMED.b) The Permittee shall increase the frequency of total nitrogen wastewater sampling and analysis of treated wastewater to once per month.c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report to NMED detailing the corrections within 30 days of correction.e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen discharge limit, the Permittee shall submit a Corrective Action Plan (CAP) to NMED for approval proposing to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit. The Permittee shall submit the CAP including a schedule for completion of corrective actions and within 90 days of receipt of the analytical results of the second sample indicating that the discharge limit is continuing to be exceeded. The Permittee shall initiate implementation of the CAP following approval by NMED. <p>When analytical results from three consecutive months of wastewater sampling do not exceed the discharge limit, the Permittee may request NMED authorize a return to a quarterly monitoring frequency.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

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31.	<p>In the event that an inspection performed by the Permittee of an impoundment reveals significant damage has occurred or is likely to affect the structural integrity of an impoundment or its ability to contain contaminants, the Permittee shall propose the repair or replacement of the impoundment by submitting a Corrective Action Plan (CAP) to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the Plan following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
32.	<p>In the event that an impoundment cannot preserve a minimum of two feet of freeboard, the Permittee shall take actions to restore the required freeboard as authorized by this Discharge Permit and all applicable local, state, and federal regulations.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to restore two feet of freeboard by submitting a short-term Corrective Action Plan (CAP) to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP within 15 days following the date the Permittee or the NMED discover the exceedance. The Permittee shall implement the CAP following NMED approval.</p> <p>In the event that the short-term corrective actions fail to restore two feet of freeboard, the Permittee shall submit to NMED a proposal for permanent corrective actions in a long-term CAP. The Permittee shall submit the long-term CAP within 90 days following failure of the short-term CAP. Examples corrective actions include the installation of an additional storage impoundment or a significant and permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the long-term CAP includes a schedule for completion of corrective actions. The Permittee shall implement the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
33.	<p>In the event that the Permittee identifies failure of leachfield(s), such as surfacing wastewater, the Permittee shall implement the following Contingency Plan.</p> <p>a) Within 24 hours following the discovered failure, the Permittee shall:</p> <p>i) Notify NMED of the failure in accordance with the notification requirements</p>

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	<p>described in the Contingency Plan for unauthorized discharges; and</p> <p>ii) Restrict public access to the area.</p> <p>b) The Permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures and record them in the inspection log.</p> <p>c) The Permittee shall propose actions to address the failure and methods of correction by submitting a Corrective Action Plan (CAP) to NMED for approval within 15 days following the discovered failure. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
34.	<p>In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a “spill”), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <p>a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility.</p> <p>b) The name and address of the Facility.</p> <p>c) The date, time, location, and duration of the unauthorized discharge.</p> <p>d) The source and cause of unauthorized discharge.</p> <p>e) A description of the unauthorized discharge, including its estimated chemical composition.</p> <p>f) The estimated volume of the unauthorized discharge.</p> <p>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</p> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a Corrective Action Plan (CAP) to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <p>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</p> <p>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</p>

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	<p>c) A schedule for completion of proposed actions.</p> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
35.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a Corrective Action Plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

D. CLOSURE PLAN

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36.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component thereof, is proposed to be permanently closed.</p> <p>Within <u>60 days</u> of ceasing to discharge to the impoundments, the Permittee shall plug the impoundment influent lines so that a discharge can no longer occur.</p> <p>Within <u>60 days</u> of ceasing to discharge to the impoundments, the Permittee shall evaporate or drain all wastewater from the impoundment and any other wastewater system component and disposed of it in accordance with all local, state, and federal regulations.</p> <p>Within <u>90 days</u> of ceasing to discharge to the impoundments, the Permittee shall submit a sludge removal and disposal plan to NMED for approval. The Permittee shall implement the plan within 30 days following approval by NMED. The sludge removal and disposal plan shall include the following information.</p>

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	<ul style="list-style-type: none">a) The estimated volume and dry weight of sludge planned for removal and disposal, including measurements and calculations.b) Analytical results for samples of the sludge taken from the impoundment for TKN, NO₃-N, percent total solids, and any other parameters tested (reported in mg/kg, dry weight basis).c) The method of sludge <i>removal</i> from the impoundments.d) The method of <i>disposal</i> for all the sludge (and its contents) removed from the impoundment(s). The method shall comply with all local, state and federal regulations, including 40 CFR Part 503. <i>Note: A proposal that includes the surface disposal of sludge may be subject to Groundwater Discharge Permitting requirements pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit.</i>e) A schedule for completion of sludge removal and disposal not to exceed two years from the date discharge to the impoundments ceased. <p>Within <u>one year</u> following completion of the sludge removal and disposal, the Permittee shall complete the following closure measures.</p> <ul style="list-style-type: none">a) Remove all lines leading to and from the impoundments, or permanently plug and abandon the lines in place.b) Remove or demolish any other wastewater system components and re-grade area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.c) Characterize, remove and dispose of all solids from the impoundments in accordance with local, state, and federal regulations, and maintain a record of solids transported for off-site disposal, including the volume of solids transported and the disposal location.d) Remove and dispose of the impoundment liners at a solid waste facility. If there is evidence of contaminated soil below the liners, assess the impact, report that assessment to NMED, and mitigate the impacts following NMED approval.e) Fill the impoundments with suitable fill.f) Re-grade the impoundment site and the locations of ancillary equipment, e.g., influent piping, to blend with surface topography, promote positive drainage and prevent ponding. <p>The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition met and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as “post-closure.”</p>

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	<p>If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit.</p> <p>Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring wells in accordance with the attached <i>Monitoring Well Guidance</i>.</p> <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>
37.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component of the Facility, is proposed to be permanently closed, and upon ceasing discharge.</p> <p>Within <u>90 days</u> of ceasing discharge to the septic tank leachfield systems (or closed system components), the Permittee shall complete the following closure measures:</p> <ol style="list-style-type: none">Plug all lines leading to and from the closed systems so that a discharge can no longer occur.Wastewater, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes) and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all wastes transported for off-site disposal. <p>Within <u>180 days</u> of ceasing discharge to the septic tank leachfield systems (or closed system components), the Permittee shall complete the following closure measures:</p> <ol style="list-style-type: none">Remove all lines leading to and from the closed systems or permanently plug them and abandon them in place.Remove or demolish all closed septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes or other systems components (with the exception of leachfields) and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding. <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED</p>

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	inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503

E. GENERAL TERMS AND CONDITIONS

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38.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none">• Information and data used to complete the application for this Discharge Permit;• Information, data, and documents demonstrating completion of closure activities;• Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;• The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater;• Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer;• Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;• The volume of wastewater or other wastes discharged pursuant to this Discharge Permit;• Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit;• Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit;• The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and• Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including:<ul style="list-style-type: none">○ the dates, location and times of sampling or field measurements;○ the name and job title of the individuals who performed each sample collection or field measurement;○ the sample analysis date of each sample○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;○ the analytical technique or method used to analyze each sample or collect each field measurement;

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	<ul style="list-style-type: none">○ the results of each analysis or field measurement, including raw data;○ the results of any split, spiked, duplicate or repeat sample; and○ a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
39.	<p>SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The paper and electronic documents shall be submitted to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
40.	<p>INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
41.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>

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42.	<p>MODIFICATIONS and/or AMENDMENTS – In the event the Permittee proposes a change to the Facility or the Facility’s discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED’s approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
43.	<p>PLANS and SPECIFICATIONS – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
44.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>

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45.	<p>CRIMINAL PENALTIES – No person shall:</p> <ul style="list-style-type: none">• Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or maintained under the WQA;• Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or• Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
46.	<p>COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>
47.	<p>RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p> <p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>
48.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p>

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	<ul style="list-style-type: none">• Notify the proposed transferee in writing of the existence of this Discharge Permit;• Include a copy of this Discharge Permit with the notice; and• Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
49.	<p>PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>